REMARKS

As a preliminary matter, Applicant has amended claim 22 to correct an obvious minor typographical error. No new matter has been added.

Claims 1-10, 22-30, and 41-57 are currently pending, of which claims 1, 22, 41, and 57 are independent. Claim 1 is directed to a mobile communications device that activates and deactivates a complementary multi-media effect in time with the playback of an audio file. Particularly, a processor *calculates* synchronizing information based on an analysis of the audio contents of an audio file. The processor then uses this *calculated* synchronizing information to generate a pattern in which to activate/deactivate the complementary multi-media effect synchronously with the playback of the audio.

Claim 1 stands finally rejected as being obvious over Hayashi (GB 2,380,908) in view of Adams (U.S. Pat. App. Pub. No. 2006/0259862) and in further view of Dowling (U.S. Pat. App. Pub. No. 2002/0038157). The Final Office Action acknowledges that neither Hyashi nor Adams, alone or in combination, teaches or suggests, "a processor configured to... generate a pattern in which to render a complementary multi-media effect synchronously with the playback of [an] audio file based on ... calculated synchronizing information. Dowling is cited in an attempt to remedy this deficiency; however, Dowling also fails to teach or suggest calculating synchronization information, as claimed.

Dowling discloses a method of synchronizing lighting systems to an audio file. Far from teaching or suggesting a processor that *generates* a synchronizing pattern based on synchronizing information that it *calculated*, as claimed, Dowling teaches that a user *manually authors* the lighting program that is used to control the activation/de-activation of the lighting. According to Dowling, "a user may select from among a set of predetermined `stock` effects at step 210. The stock effects function as discrete elements or building blocks useful for assembling a sequence." *Dowling*, p. 3, ¶[0037]. The user in Dowling indicates when the

selected effect should begin and end, as well as selects one or more lighting units to execute the selected effect. *Dowling*, pp. 3-4, ¶¶[0038-0039].

Manually defining lighting sequences does not teach or suggest a processor that 1) calculates synchronization information based on an analysis of an audio file, and then 20 uses that calculated information to generate a synchronization pattern. Because none of the references teaches or suggests the claimed processor function, their combination necessarily fails to teach or suggest every limitation of claim 1. Therefore, none of the references teaches or suggests, alone or in combination, claim 1 or any of its dependent claims.

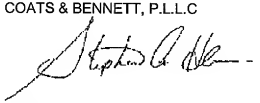
The remaining independent claims, claims 22, 41, and 57, also stand rejected as being obvious over Hayashi in view of Adams and Dowling. Claim 22 is directed to a method of synchronizing multi-media effects with an audio file in a mobile communications device. Claim 41 is a method claim directed to synchronizing one or more complementary multi-media effects with an audio file in a mobile communications device. Claim 57 is an apparatus claim directed to a microprocessor in the mobile communications device configured to synchronize complementary multi-media effects with an audio file in a mobile communications device. Each of these independent claims contains language similar to that of claim 1. Accordingly, for reasons similar to those stated above, none of the references teaches or suggests, alone or in combination, any of claims 22, 41, and 57, or any of their respective dependent claims.

In light of the foregoing remarks, all pending claims are in condition for allowance.

Applicant therefore respectfully requests the allowance of all pending claims.

Respectfully submitted,

COATS & BENNETT, P.L.L.C



Dated: August 20, 2009

Stephen A. Herrera
Registration No.: 47,642
Telephone: (919) 854-1844
Facsimile: (919) 854-2084